

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MARIE BONENE-GUNDERMAN,

Plaintiff,

v.

CASE NO.:
Hon. Judge

MIAT COLLEGE OF TECHNOLOGY

Defendants.

FURTON CAMPS PLLC
Joseph R. Furton Jr. (P45653)
Peter N. Camps (P68561)
Jennifer Rupert (P72199)
Attorneys for Plaintiff
6 Parklane Blvd, Ste 130
Dearborn, MI 48126
(313) 586-8869

PLAINTIFF'S COMPLAINT AND JURY DEMAND

There is no other civil action between these parties arising out of the same transaction or occurrence as alleged in this complaint pending in this court, nor has any such action been previously filed and dismissed or transferred after having been assigned to a judge, nor do I know of any other civil action not between these parties arising out of the same transaction or occurrence as alleged in this complaint that is either pending, or was previously filed and dismissed, transferred, or otherwise disposed of after having been assigned to a judge in this court.

NOW COMES PLAINTIFF, MARIE BONENE-GUNDERMAN by and through her attorneys, FURTON CAMPS PLLC and for her Complaint against the above named Defendants states as follows.

Preliminary Statement

1. This is an action by Plaintiff pursuant to 29 U.S.C. §201 *et seq.* to recover compensatory and liquidated damages, attorney fees, and other relief from Defendants for violations of the Fair Labor Standards Act (“FLSA”).

Parties

2. Plaintiff Marie Bonene-Gunderman performed labor for Defendants within Wayne County, Michigan, and elsewhere located within the geographical boundaries of the United States District Court for the Eastern District of Michigan.
3. That Defendant MIAT College of Technology, does business in Wayne County, Michigan and elsewhere located within the geographical boundaries of the United States District Court for the Eastern District of Michigan.

Jurisdiction and Venue

4. This is an action for unpaid wages, damages, and other relief under the FLSA 29 U.S.C. §201 *et seq.*
5. This Court has subject matter jurisdiction of Plaintiff’s Federal Law Claims pursuant to 28 U.S.C. §1331.
6. Plaintiff performed labor for Defendants within this judicial district and the events and omissions giving rise to Plaintiff’s claims occurred in this district. The unpaid wages sought in this action were earned in this district. Venue is proper in this district pursuant to 28 U.S.C. §1391(b).

Factual Allegations

7. That Plaintiff worked for Defendants from 2010 to 2014.

8. Plaintiff was a non-exempt employee, entitled to payment for overtime for hours in excess of 40.
9. That throughout the course of her employment, Plaintiff worked many hours in excess of 40, including many hours in the calendar years of 2010, 2011, 2012, 2013, 2014.

**COUNT I – UNPAID WAGES AND OVERTIME UNDER
THE FAIR STANDARDS LABOR ACT**

10. Plaintiff re-alleges the allegations stated in Paragraphs 1 through 9 as if stated fully herein.
11. That the Defendants failed to properly classify and pay Plaintiff as a non-exempt employee.
12. That the Defendants failed to post the required notice explaining the FLSA in a conspicuous space where Plaintiff and those similarly situated were employed.
13. Plaintiff routinely worked in excess of 40 hours per week and was not paid the overtime pay required by law.
14. Plaintiff worked hours for which she received no compensation.
15. Defendants knew of or showed reckless disregard for the matter of whether their failure to pay overtime was prohibited by law. The violation was willful.
16. Plaintiff was damaged by Defendants' failure to pay wages and overtime as required by the FLSA.

WHEREFORE, Plaintiff respectfully requests the Court to award a recovery of unpaid wages, unpaid overtime wages, liquidated damages, attorney fees, and any other relief by reason of Defendants' violations of the FLSA and for such relief that the Court deems just and proper.

Respectfully submitted,

FURTON CAMPS PLLC

By: /s/ Joseph R. Furton, Jr.
Joseph R. Furton, Jr. (P45653)
Peter N. Camps (P68561)
Jennifer Rupert (P72199)
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6 Parklane Blvd., Suite 130
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Dated: July 7, 2015

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PLAINTIFF'S DEMAND FOR JURY TRIAL

Plaintiff, through her attorneys, hereby demands a jury trial.

Respectfully submitted,

FURTON CAMPS PLLC

By: /s/ Joseph R. Furton, Jr.
Joseph R. Furton, Jr. (P45653)
Peter N. Camps (P68561)
Jennifer Rupert (P72199)
Counsel for Plaintiff
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jfurton@furtoncamps.com

Dated: July 7, 2015

Certificate of Service

The undersigned certifies that Plaintiff's Complaint and Jury Demand was served upon all counsel of record in this matter at their respective addresses on July 7, 2015 via:

_____ U.S. Mail _____ Fax X E-File and Serve _____ E-mail _____ Hand Delivery

Signature: /s/ Renee Teachout _____